

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

MICHELLE MAYNARD,

Plaintiff,

v.

I SQUARE MANAGEMENT, LLC and
HS HIEX HOTEL, LLC,

Defendants.

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No. 2:24-cv-2649-SHL-atc

ORDER DISMISSING DEFENDANT HS HIEX HOTEL, LLC WITHOUT PREJUDICE

The parties filed a joint stipulation of dismissal without prejudice as to Defendant HS Hiex Hotel, LLC under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 31.) But in multi-defendant matters, “Rule 21 provides the appropriate basis for dismissal of a single defendant,” not Rule 41. Henderson-Thompson v. Jardoine, No. 2:22-cv-2013-MSN-cgc, 2022 WL 349896, at *2 (W.D. Tenn. Feb. 4, 2022) (citing Philip Carey Mfg. Co. v. Taylor, 286 F.2d 782, 785 (6th Cir. 1961)); see also Wilkerson v. Brakebill, No. 3:15-CV-435-TAV-CCS, 2017 WL 401212, at *2 (E.D. Tenn. Jan. 30, 2017) (collecting district court cases from within the Sixth Circuit recognizing that Rule 21, rather than Rule 41, is applicable when dismissing a single claim or defendant instead of an entire lawsuit). The Court will therefore construe the joint stipulation under Rule 41 as a joint motion under Rule 21. See Henderson-Thompson, 2022 WL 349896, at *2.

Rule 21 permits a court to drop a party at any time on motion or on its own. Fed. R. Civ. P. 21. Dropping parties under Rule 21 functions as a dismissal of the party. See Henderson-Thompson, 2022 WL 349896, at *2. Thus, all claims against Defendant HS Hiex Hotel, LLC are

DISMISSED WITHOUT PREJUDICE under Rule 21. This dismissal does not apply to
Maynard's claims against I Square Management, LLC.

IT IS SO ORDERED, this 1st day of July, 2025.

s/ Sheryl H. Lipman _____
SHERYL H. LIPMAN
CHIEF UNITED STATES DISTRICT JUDGE